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EXAMINER	
PATEL, ASHOKKUMAR B	
ART UNIT	**PAPER NUMBER**
2449	

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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No.	Applicant(s)	
	10/519,199	YABE ET AL.	
	Examiner	Art Unit	
	ASHOK B. PATEL	2449	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE *3* MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *23 April 2009*.

2a)☒ This action is **FINAL**. 2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-19* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-14, 16,17 and 19* is/are rejected.

7)☒ Claim(s) *15 and 18* is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO/SB/08) Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____ .
5) ☐ Notice of Informal Patent Application
6) ☐ Other: _____.

DETAILED ACTION

1. Claims 1-19 are subject to examination.

Response to Arguments

2. Applicant's arguments with respect to claim 1 have been considered but are moot in view of the new ground(s) of rejection.

Claim Objections

3. Claims 14 and 17 end into "; and" suggesting claims being incomplete. Therefore they are objected. Appropriate correction is required.

Claim Rejections - 35 USC § 103

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which the subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

5. Claims 1-14, 16, 17 and 19 are rejected under 35 U.S.C. 103(a) as being Unpatentable over Lee et al. (hereinafter Lee) (US 6, 661, 877 B1) in view of Barsade et al. (hereinafter Barsade) (US 2002/0169670 A1)

Referring to claim 1,

Lee teaches an e-mail processing method (Fig. 1) comprising:

sending, from a mail server for performing a mail delivery process (col. 4, line 8-10, "Internally, the infrastructure required to support each of these heterogeneous devices is brokered by the unified messaging server 11.") to mail clients (col. 4, line 10-

14, "For example, message access using the computer system 14 is provided by implementations of the simple mail transfer protocol (SMTP), standard mail protocol servers (IMAP4 and POP3), and browser-based thin clients (HTML and WML)."), mail attribute information indicating an attribute of an e-mail for the mail client (Fig. 7, elements 106, 107, 108,109 and 110, col. 7, line 56-58, "A set of messages 111 is stored into a Unified Inbox 105 organized by type 106, sender 107, subject 108, date 109, and size 110.") in a data format (col. 7, line 32-36, "The browser based thin clients submodule 88 includes two service interface adapters, Hypertext Markup Language (HTML) 93 and Wireless Markup Language (WML) 94, for respectively generating content and a user interface for Web pages and WAP-enabled devices."), the data format enabling the mail client to display the mail attribute information by executing a document browsing program(col. 7, line 32-36, "The browser based thin clients submodule 88 includes two service interface adapters, Hypertext Markup Language (HTML) 93 and Wireless Markup Language (WML) 94, for respectively generating content and a user interface for Web pages and WAP-enabled devices.");

receiving, in the mail client, mail attribute information transmitted from the mail server, and displaying the received mail attribute information in accordance with the document browsing program (col. 7, line 47-55, "FIG. 7 is a screen shot of a Web page 100 showing, by way of example, the graphical user interface 101 used in the system 11 of FIG. 2. In the described embodiment, the graphical user interface 101 is generated as a HTML Web page for viewing on a browser application 40 (shown in FIG. 2). The graphical user interface 101 provides controls 102 for displaying and navigating

through computer telephony messages 103 stored in the unified message store 12 (shown in FIG. 1).");

accepting, in the mail client, an operation to select an e-mail selected by a user from among e-mails corresponding to the displayed mail attribute information (col. 8, line 10-17, "The graphical user interface 101 is generated by the unified messaging server 11 (shown in FIG. 2) as a Web page for presentation through a browser application 40. An end user on a client 35 or remote client 38 can display and navigate through a Unified Inbox 105 via the graphical user interface 101 and requests to access the computer telephony messages 103 are processed by the unified messaging server 11.");

sending from the mail client to the mail server, identification information for identifying an e-mail selected by the user (col. 8, line 22-28, "During the processing of each request (block 125), the actual message formats used for each particular type of message, that is, email, voicemail, wireless and so forth, are transparent to the Unified Inbox 105 and access is provided by the encapsulated methods described above with reference to FIGS. 6A-6C. The routine terminates after all requests have been processed.");

receiving in the mail server, identification information transmitted from the mail client (col. 8, line 22-28, "During the processing of each request (block 125), the actual message formats used for each particular type of message, that is, email, voicemail, wireless and so forth, are transparent to the Unified Inbox 105 and access is provided

by the encapsulated methods described above with reference to FIGS. 6A-6C. The routine terminates after all requests have been processed."),

(Note: The presence of non-volatile memory in the mail clients are taught by Lee and Barsade. (The non-volatile memory being included in the mail client).

Lee fails to teach "generating by the mail server at least one predetermined character string, the at least one predetermined character string being separate from the e-mail selected by the user and indicative of a command to the mail client to activate the e-mail processing program and store the e-mail transmitted by the mail server in a nonvolatile memory; sending to the mail client the at least one predetermined character for commanding the mail client to process data transmitted from the mail server to the mail client in accordance with an e-mail processing program, prior to or along with sending the e-mail specified by the identification information; and in response to receiving the at least one predetermined character string transmitted from the mail server, automatically activating the e-mail processing program and storing by the mail client in the nonvolatile memory the e-mail transmitted from the mail server, the nonvolatile memory being included in the mail client."

Barsade teaches generating by the mail server at least one predetermined character string, the at least one predetermined character string being separate from the e-mail selected by the user and indicative of a command to the mail client to activate the e-mail processing program and store the e-mail transmitted by the mail server in a nonvolatile memory; sending to the mail client the at least one predetermined character for commanding the mail client to process data transmitted from the mail server to the

mail client in accordance with an e-mail processing program, prior to or along with sending the e-mail specified by the identification information; and in response to receiving the at least one predetermined character string transmitted from the mail server, automatically activating the e-mail processing program and storing by the mail client in the nonvolatile memory the e-mail transmitted from the mail server, the nonvolatile memory being included in the mail client. (para.[0042]-[0047] "Accordingly, one aspect of the invention includes a method of providing an information packet data stream through email to a user computer connected to a network, the computer having a processor, a memory connected to the processor and storing computer executable instructions, which include a method for the execution and display of data streams provided over a computer network utilizing email programs, and a browser program for the execution and display of data streams provided over a computer network, the method comprising the steps of: [0043] a. downloading an email data stream to an email program of an end-user computer; [0044] b. displaying the email data stream in a window or frame of the email or Internet browser software program, wherein the email data stream includes an activation code for the downloading of an information packet data stream independent of, or integrated with, the first email data stream; [0045] c. if not already activated by the e-mail data-stream, activating a browser session in the end-user computer; [0046] d. downloading an information packet data stream into the browser window; and [0047] e. displaying the information packet data stream in the browser window. Note: Please refer to para.[0101] for BA files as being "generating the at least one predetermined character string and para.[0100] for "unload." Please refer

to para.[0139] for additional information on BA. Para.[0141] The BA system and method can be incorporated into an email system that is capable of operating at least one of its windows as a browser session. For example, the email program Microsoft Outlook.TM. (MSOL) is adapted to work with the browser program Microsoft Internet Explorer.TM. (MSIE) to view HTML files and email messages containing HTML files.")

Therefore it would have been an obvious to one of an ordinary skill in art, having the teachings of Lee and Barsade in front of him at the time of invention was made, to incorporate the teachings of Barsade to display BA along with Emails since as Barsade states "The BA system and method can be incorporated into an email system that is capable of operating at least one of its windows as a browser session. For example, the email program Microsoft Outlook.TM. (MSOL) is adapted to work with the browser program Microsoft Internet Explorer.TM. (MSIE) to view HTML files and email messages containing HTML files."

Referring to claim 2,

Lee teaches an e-mail delivery method according to Claim 1, further comprising:

receiving, in the mail client, an instruction to suspend delivery from the mail server of an e-mail selected from among the displayed e-mails, and sending from the mail client identification information for specifying the selected e-mail to the mail server; wherein the mail server receives identification information transmitted from the mail client, and in the next mail attribute sending step, sends mail attribute information of an e-mail whose delivery is to be suspended, the e-mail being specified

by the identification information. (Fig. 7, Element New Messages", Note: The messages whose delivery is not requested is identified as New Message.)

Referring to claim 3,

Lee teaches an e-mail delivering method according to Claim 1,

wherein the mail server and the mail client mutually send and receive data in accordance with a hyper text transfer protocol; and the predetermined character strings are written in a header of a hyper text transfer protocol. (col. 7, line 47-55, "FIG. 7 is a screen shot of a Web page 100 showing, by way of example, the graphical user interface 101 used in the system 11 of FIG. 2. In the described embodiment, the graphical user interface 101 is generated as a HTML Web page for viewing on a browser application 40 (shown in FIG. 2). The graphical user interface 101 provides controls 102 for displaying and navigating through computer telephony messages 103 stored in the unified message store 12 (shown in FIG. 1).", Fig. 6B, element 92, Fig. 7, "Web Mail");

Referring to claim 4,

Lee teaches an e-mail delivering method according to Claim 1, wherein the mail server and the mail client mutually send and receive data in accordance with a hyper text transfer protocol; and the mail client, in the step of sending identification information, sends to the mail server identification information for specifying the selected e-mail by using a POST method of a hyper text transfer protocol. (col. 7, line 47-55, "FIG. 7 is a screen shot of a Web page 100 showing, by way of example, the graphical user interface 101 used in the system 11 of FIG. 2. In the described

embodiment, the graphical user interface 101 is generated as a HTML Web page for viewing on a browser application 40 (shown in FIG. 2). The graphical user interface 101 provides controls 102 for displaying and navigating through computer telephony messages 103 stored in the unified message store 12 (shown in FIG. 1).", Fig. 6B, element 92, Fig. 7, "WebMail");

Referring to claim 5,

Lee teaches an e-mail delivering method according to Claim 1, wherein the mail server and the mail client mutually send and receive data in accordance with a hyper text transfer protocol, the mail client requests the mail server to transmit the e-mail by transmitting a request to the mail server, the request using a GET method of a hyper text transfer protocol. (col. 7, line 47-55, "FIG. 7 is a screen shot of a Web page 100 showing, by way of example, the graphical user interface 101 used in the system 11 of FIG. 2. In the described embodiment, the graphical user interface 101 is generated as a HTML Web page for viewing on a browser application 40 (shown in FIG. 2). The graphical user interface 101 provides controls 102 for displaying and navigating through computer telephony messages 103 stored in the unified message store 12 (shown in FIG. 1).", Fig. 6B, element 92, Fig. 7, "WebMail");

Lee fails to teach when the mail server sends to the mail client the predetermined character strings prior to sending an e-mail identified by the identification information.

Barsade teaches when the mail server sends to the mail client the predetermined character strings prior to sending an e-mail identified by the identification information. (para.[0042]-[0047] "Accordingly, one aspect of the invention includes a method of

providing an information packet data stream through email to a user computer connected to a network, the computer having a processor, a memory connected to the processor and storing computer executable instructions, which include a method for the execution and display of data streams provided over a computer network utilizing email programs, and a browser program for the execution and display of data streams provided over a computer network, the method comprising the steps of: [0043] a. downloading an email data stream to an email program of an end-user computer; [0044] b. displaying the email data stream in a window or frame of the email or Internet browser software program, wherein the email data stream includes an activation code for the downloading of an information packet data stream independent of, or integrated with, the first email data stream; [0045] c. if not already activated by the e-mail data-stream, activating a browser session in the end-user computer; [0046] d. downloading an information packet data stream into the browser window; and [0047] e. displaying the information packet data stream in the browser window. Note: Please refer to para.[0101] for BA files as being "generating the at least one predetermined character string and para.[0100] for "unload." Please refer to para.[0139] for additional information on BA. Para.[0141] The BA system and method can be incorporated into an email system that is capable of operating at least one of its windows as a browser session. For example, the email program Microsoft Outlook.TM. (MSOL) is adapted to work with the browser program Microsoft Internet Explorer.TM. (MSIE) to view HTML files and email messages containing HTML files.")

Therefore it would have been an obvious to one of an ordinary skill in art, having the teachings of Lee and Barsade in front of him at the time of invention was made, to incorporate the teachings of Barsade to display BA along with Emails since as Barsade states "The BA system and method can be incorporated into an email system that is capable of operating at least one of its windows as a browser session. For example, the email program Microsoft Outlook.TM. (MSOL) is adapted to work with the browser program Microsoft Internet Explorer.TM. (MSIE) to view HTML files and email messages containing HTML files."

Referring to claim 6,

Lee teaches an e-mail delivering method according to Claim 5, wherein when sending the e-mail to the mail client, the mail server writes in a header of a hyper text transfer protocol in a predetermined order identification information for identifying an e-mail to be transmitted this time, and identification information for identifying an e-mail to be transmitted subsequently and transmits them to the mail client; and the mail client writes in a request header of a hyper text transfer protocol in a predetermined order, the two pieces of identification information written in a header of the received hyper text transfer protocol, and requests the mail server to send the e-mail to be subsequently transmitted by transmitting a request header of a hyper text transfer protocol to the mail server; and the mail server identifies an e-mail to be sent on the basis of the predetermined order of the two pieces of identification information in a request header of the received hyper text transfer protocol, and sends the specified e-mail to the mail client (col. 7, line 47-55, "FIG. 7 is a screen shot of a Web page 100 showing, by way of

example, the graphical user interface 101 used in the system 11 of FIG. 2. In the described embodiment, the graphical user interface 101 is generated as a HTML Web page for viewing on a browser application 40 (shown in FIG. 2). The graphical user interface 101 provides controls 102 for displaying and navigating through computer telephony messages 103 stored in the unified message store 12 (shown in FIG. 1).", Fig. 6B, element 92, Fig. 7, "WebMail").

Referring to claim 7,

Claim 7 is a claim to a server for performing a mail delivering process to a mail client in accordance with the method of claim 1. Therefore claim 7 is rejected for the reasons set forth for claim 1. (please note that Lee teaches in Fig. 7, E-mail attribute information sending means as such the Mail server of Fig. 1, element 22 has the means as part of the E-Mail server, which is Fig. 6B, element 92. "an identification information reception means" is col. 5, line 33-44, "On the resource software layer 54 side, the server layer 52 exports an application programming interface called the resource software abstraction layer 55. This layer provides a set of dynamic linked libraries called service interface adapters between the server layer 52 and resource software layer 54, such as further described below with reference to FIG. 6A. Server request messages are converted into callbacks that control signal processing in heterogeneous computer telephony devices. Similarly, the resource software layer 54 can interface with the server layer 52 and application software layer 51 through request response and event messages.", and "a character string sending means " is provided by Barsade.

Referring to claim 8,

Claim 8 is a claim to a server for performing a mail delivering process to a mail client in accordance with the method of claim 3. Therefore claim 8 is rejected for the reasons set forth for claim 3.

Referring to claim 9,

Claim 9 is a claim to a mail client which receives e-mails from a mail server in accordance with the method of claim 1. Therefore claim 9 is rejected for the reasons set forth for claim 1. (Fig. 7 of Lee shows the means as inherent parts of the email receiving device.)

Referring to claim 10,

Claim 10 is a claim to a mail client which receives e-mails from a mail server in accordance with the method of claim 4. Therefore claim 10 is rejected for the reasons set forth for claim 4.

Referring to claim 11,

Claim 11 is a claim to a mail client which receives e-mails from a mail server in accordance with the method of claim 5. Therefore claim 11 is rejected for the reasons set forth for claim 5.

Referring to claim 12,

Barsade teaches an e-mail delivering method according to Claim 1, wherein automatically activating the e-mail processing program comprises: determining whether the e-mail processing program is activated; and activating the e-mail processing program if it is determined that the e-mail processing program is not activated.(Barsade,

para. [0045] c. if not already activated by the e-mail data-stream, activating a browser session in the end-user computer.")

Referring to claim 13,

Barsade teaches an e-mail delivering method according to Claim 1, wherein sending to the mail client the at least one predetermined character string comprises: sending a first communication from the mail server to the mail client acknowledging receipt of the identification information transmitted from the mail client, the first communication comprising the at least one predetermined character string; and sending a second communication from the mail server to the mail client containing the e- mail specified by the identification information, the second communication comprising the at least one predetermined character string. (Barsade, para. [0044] b. displaying the email data stream in a window or frame of the email or Internet browser software program, wherein the email data stream includes an activation code for the downloading of an information packet data stream independent of, or integrated with, the first email data stream; [0045] c. if not already activated by the e-mail data-stream, activating a browser session in the end-user computer; [0046] d. downloading an information packet data stream into the browser window; and [0047] e. displaying the information packet data stream in the browser window.")

Referring to claim 14,

Barsade teaches an e-mail delivering method according to Claim 13, wherein the first communication comprises at least one header, the header including the at least one predetermined character string; and wherein the second communication comprises the

at least one header, the header including the at least one predetermined character string; and (Barsade, para. [0044] b. displaying the email data stream in a window or frame of the email or Internet browser software program, wherein the email data stream includes an activation code for the downloading of an information packet data stream independent of, or integrated with, the first email data stream; [0045] c. if not already activated by the e-mail data-stream, activating a browser session in the end-user computer; [0046] d. downloading an information packet data stream into the browser window; and [0047] e. displaying the information packet data stream in the browser window.")

Referring to claim 16,

Claim 16 is a claim to a server for performing a mail delivering process to a mail client in accordance with the method of claim 13. Therefore claim 16 is rejected for the reasons set forth for claim 13.

Referring to claim 17,

Claim 17 is a claim to a server for performing a mail delivering process to a mail client in accordance with the method of claim 14. Therefore claim 17 is rejected for the reasons set forth for claim 14.

Referring to claim 19,

Claim 19 is a claim to a mail client which receives e-mails from a mail server in accordance with the method of claim 12. Therefore claim 19 is rejected for the reasons set forth for claim 12.

Allowable Subject Matter

6. Claims 15 and 18 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Conclusion

Examiner's note: Examiner has cited particular columns and line numbers in the references as applied to the claims above for the convenience of the applicant. Although the specified citations are representative of the teachings of the art and are applied to the specific limitations within the individual claim, other passages and figures may apply as well. It is respectfully requested from the applicant in preparing responses, to fully consider the references in entirety as potentially teaching all or part of the claimed invention, as well as the context of the passage as taught by the prior art or disclosed by the Examiner.

Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any

extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to ASHOK B. PATEL whose telephone number is (571)272-3972. The examiner can normally be reached on 6:30 am-4:30 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Thu Nguyen can be reached on (571) 272-6769. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Ashok B. Patel/
Primary Examiner, Art Unit 2449